IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTIETH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE C.Y.SOMAYAJULU

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WRIT PETITION NO: 12528 of 2004

Between:

1. Islamic Educational & Cultural Society, Regn.No.85/98 H.No.1/94
Markapur, Prakasam District, rep. by its President & Correspondent,
Mr. Mirza Shamsher Ali Baig.
2. Shams-Ul-Uloom College of Education, Podili,
Prakasam District rep. by its President & Correspondent,
Mr. Mirza Shamsheer Ali Baig, S/o Osman Baig aged 34 years,
R/o Markapur, Prakasam District.
3. Mr.Mirza Shamsheer Ali Baig, S/o Osman Baig,
R/o Markapur, Prakasam District

... PETITIONERS

AND

1. National Council for Teacher Education, Bangalore
rep. by its Regional Director.
2. Govt of AP Education Department,
rep. by its Principal Secretary, Secretariat Buildings, Hyderabad.
3. Commissioner & Directorate of School Education, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring (i) the action of the 1st respondent in not receiving and

processing the application of the petitioner for starting 2nd petitioner college of education at Podili, Prakasam District as being contrary to the provisions of the NCTE Act and National Council for Teacher Education (form of Application for Recognition, the time limit of submission of application, determination of norms and standards for recognition of Teacher Education Programmes and permission to start new Courses or Training) Regulations, 2002 apart from being contrary to the directives of the Hon'ble Supreme Court of India in "St.John's Teachers Training Institute Vs Regional Director, NCTE" reported in 2003(3) SCC 321 and ; (ii) further declare that the proceedings of the 2nd respondent in Memo No.1675/Trg-I/2004 dated 12-6-2004 and the consequential proceedings of the 3rd respondent in No.Rc.No.2490/N2-2/2004-40 dated 22-6-2004 as being illegal, contrary to the provisions of the said Act and the said Regulations and also the Judgment of the Hon'ble Supreme Court of India in "St.John's Teachers Training Institute Vs Regional Director, NCTE" reported in 2003(3) SCC 321 and consequently hold that the same cannot in any manner come in the way of consideration of the petitioners application by the 1st respondent.

Counsel for the Petitioners: MR.S.NIRANJAN REDDY

Counsel for the Respondent No.1: MR.B.ADINARAYANA RAO

Counsel for the Respondent Nos.2 and 3: GP FOR EDUCATION.

The Court made the following:

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ORDER: -

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It is stated that this case is covered by the judgment in W.P.No.10653 of 2004 delivered today.

2. Hence, this writ petition is disposed of as per the directions in W.P.No.10653 of 2004.

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C.Y. SOMAYAJULU, J

Dt.20-04-2005

Glv

ASSISTANT REGISTRAR

Copies to:

1. The Regional Director,
National Council for Teacher Education, Bangalore.
2. The Principal Secretary, Government of AP.,
Education Department, Secretariat Buildings, Hyderabad.
3. The Commissioner & Directorate of School Education,
Hyderabad.

4. Two CCs to the G.P. for Education, High Court Buildings, Hyderabad (OUT).

5. Two CD copies.

(Along with copy of order dated 20-04-2005 made in W.P.No.10653 of 2004 to R1 to R5)

*Form-NIC-OGS/WP{**VSR**}*